

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

SUPERB MOTORS INC., TEAM AUTO SALES LLC, ROBERT ANTHONY URRUTIA, 189 SUNRISE HWY AUTO LLC, NORTHSHERE MOTOR LEASING, LLC, BRIAN CHABRIER, individually and derivatively as a member of NORTHSHERE MOTOR LEASING, LLC, JOSHUA AARONSON, individually and derivatively as a member of 189 SUNRISE HWY AUTO, LLC, JORY BARON, 1581 HYLAN BLVD AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591 HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519 HYLAN BLVD AUTO LLC, 76 FISK STREET REALTY LLC, 446 ROUTE 23 AUTO LLC and ISLAND AUTO MANAGEMENT, LLC,

Case No.: 2:23-cv-6188 (JMW)

NOTICE OF MOTION

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERCKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC INC., GOLD COAST CARS OF SYOSSET LLC, GOLD COAST CARS OF SUNRISE LLC, GOLD COAST MOTORS AUTOMOTIVE GROUP LLC, GOLD COAST MOTORS OF LIC LLC, GOLD COAST MOTORS OF ROSLYN LLC, GOLD COAST MOTORS OF SMITHSTOWN LLC, UEA PREMIER MOTORS CORP., DLA CAPITAL PARTNERS INC., JONES, LITTLE & CO., CPA'S LLP, FLUSHING BANK, and LIBERTAS FUNDING LLC,

Defendants.

-----X

PLEASE TAKE NOTICE, that upon the accompanying declaration of Bruce Novicky dated October 17, 2023, the memorandum of law in support, and all the prior papers and proceedings herein, the Plaintiffs will move this Court, before the Hon. James M. Wicks, U.S.M.J. (“Judge Wicks”), at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Courtroom 1020, Central Islip, NY 11722, for an Order disqualifying Harry Thomasson, Esq. from representing the Defendants¹ in this case, and for such other and further relief as the Court deems just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to ¶ 3(A) of Judge Wicks’ Individual Practice Rules, this motion may be made without a pre-motion conference.

PLEASE TAKE FURTHER NOTICE, pursuant to Local Civil Rule 6.1, Defendants’ opposition papers are due on Wednesday, November 1, 2023, and Plaintiff’s reply papers in further support are due on Wednesday, November 8, 2023, unless otherwise ordered by this Court.

Dated: Lake Success, New York
October 18, 2023

Respectfully submitted,
MILMAN LABUDA LAW GROUP PLLC
By: /s/ Emanuel Kataev, Esq.
Emanuel Kataev, Esq.
3000 Marcus Avenue, Suite 3W8
Lake Success, NY 11042-1073
(516) 328-8899 (office)
(516) 303-1395 (direct dial)
(516) 328-0082 (facsimile)
emanuel@mllaborlaw.com

*Attorneys for Plaintiffs
Superb Motors Inc.,
Team Auto Sales LLC, and
Robert Anthony Urrutia*

¹ Thomasson represents Defendants Anthony Deo Sarah Deo, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC Inc., Gold Coast Cars of Syosset LLC, Gold Coast Cars of Sunrise LLC, Gold Coast Motors Automotive Group LLC, Gold Coast Motors of LIC LLC, Gold Coast Motors of Roslyn LLC, Gold Coast Motors of Smithtown LLC, and UEA Premier Motors Corp in this case, including himself. See ECF Docket Entry 29.

Dated: New York, New York
October 18, 2023

CYRULI SHANKS & ZIZMOR LLP

/s
Jeffrey Ruderman, Esq.
420 Lexington Avenue, Suite 2320
New York, NY 10170-0002
(212) 661-6800 (office)
(347) 379-4622 (direct dial)
(212) 661-5350 (facsimile)
jruderman@cszlaw.com

Attorneys for Plaintiffs
189 Sunrise Hwy Auto LLC,
Northshore Motor Leasing, LLC,
1581 Hylan Blvd Auto LLC,
1580 Hylan Blvd Auto LLC,
1591 Hylan Blvd Auto LLC,
1632 Hylan Blvd Auto LLC,
1239 Hylan Blvd Auto LLC,
2519 Hylan Blvd Auto LLC,
76 Fisk Street Realty LLC,
446 Route 23 Auto LLC,
Island Auto Management, LLC,
Brian Chabrier,
Joshua Aaronson, and
Jory Baron